UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/216,985	12/21/1998	LAURENCE HONARVAR	1330.1010	8897

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EXAMINER
CUFF, MICHAEL A

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _22 March 2004_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-11,22-37 and 48-50_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-11,22-37 and 48-50_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.
   2. ☐ Certified copies of the priority documents have been received in Application No. _____.
   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

RCE and Amendment

1.   Applicant's Amendment F, paper 25, has been entered as a responsive reply to

the office action of non-compliance, dated 3/15/04. The arguments contained in the not

entered paper, filed 3/5/04, have been considered.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-11, 22-37 and 48-50 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Walker et al. (6,088,686) in view of Hoover et al.

Walker et al. shows all of the limitations of the claims except for specifying that

the customer and account data are loaded prior to the evaluating.

Walker et al. Shows, figures 1A and 1B, the system and method of the present

invention provide on-line processing of applications in real time (single pass, one time

data input, means for evaluating), thus providing conditional approvals, pending

required verifications. The system has a front-end processing system (blocks 14 and

16) that provides an immediate review of the results of analyzing an applicant's credit

bureau history (blocks 28, 30, 32 and 34) (account data, 30, 32, 34 provide virtual

attributes) and automated credit scoring. The system and method of the present

invention involves the unique processing of a new or existing customer relationship

(blocks 18, 20 and 24, virtual attributes) (customer data) into the credit decision request.

Via on-line real-time integration of the many systems (block 52) involved in the process,

all of the existing customer's accounts (each of customer's accounts, some can be of

the same type) are systematically and automatically reviewed (all customer and account

data loaded without additional data) during the application session to determine the

aggregate balance amount, which gives rise to the best price being offered to the

existing customer 10 (evaluating customer) for the requested credit product. This

feature enables the ability to provide new or existing customers (block 10) with an up-

front conditional approval based on systematic evaluation of credit bureau history, credit

score (virtual attribute), debt burden (virtual attribute), credit policies and the customer's

relationship (virtual attribute) with the financial institution, (separate extracts, different

data sources, plurality of extracts) subject to required verifications.

The Maximum Debt Burden Offer provides applicants requesting credit (revolving

or closed-end) with the maximum allowable line of credit or loan amount, whose

estimated payment for the requested product, in addition to all known debt payments

(applicant provided debt, including rent or mortgage payments, and credit bureau

derived payments) (different accounts with different strategies, inherent in this step is

determining the "strategy" of how each different account relates to the Maximum Debt

Burden. This determining is also a decision tree node.), would not exceed the product

specified parameters (line assignment tables) up to the designated controlling debt

burden table parameter.

Any label for a term is a virtual attribute. For example, credit limit less the balance is equal to the available credit. In this example, the terms "credit limit", "balance" and "available credit" are all virtual terms because they are all attributes with no explicit data value. (See applicant's definition on page 18, lines 11-13 of the specification.) These attributes do represent a series of non-virtual attributes, which have explicit values. The examiner has indicated many "virtual attributes" through out the sighted reference. The "non-virtual attributes" are inherent as the collection of attributes, which make up a "virtual attribute".

A series of tables in the application processing system (ACAPS 26) contains the price points for each product that has multiple price points (iterative function, iterative matrix). The tables also provide the name of the characteristic (such as balance amount, virtual attribute), the break point(s)(virtual attribute) (such as less than $1500, greater than or equal to $1500, etc.), and the resulting price(s)(virtual attribute). Other table values within ACAPS 26 determine whether the automated pricing routines should be used or not used (first iterative decision tree, iterative for each new account requested by customer). Assuming the routines are used, ACAPS 26 calls (first iterative function calls second) upon another bank system (block 52), which aggregates all of the customer's balances (second iterative matrix function, iterating through a number of accounts) to obtain the aggregated balance amount to be used in conjunction with the pricing tables to determine the price to be offered to the applicant 10.

Hoover et al., figure 16, shows a method and system for object-based relational distributed databases. Each of the remotely located user computers comprises a

heterogeneous data structure, and data is "homogenized" by mapping predetermined

data fields items stored in the heterogeneous user computers to corresponding object

attributes associated with a predetermined instance of an object, where the object is

determined by an object model that relates to all of the heterogeneous user computers

connected to the system. The object attributes are stored in an object attribute table in

the remote user computers in association with object identifiers. Preferably, the data

items associated with the subject are stored in a separate, homogenized object-based

remote database physically located at the customer's site (all data loaded prior to use),

in association with the object identifier stored in the object attribute table. The object

attribute tables are indexed at the remote databases for rapid searching and access by

object identifier. (Column 6, lines 1-15)

Accordingly, it is an objective of the present invention to provide a distributed

database computer system that overlays a homogeneous data model upon a plurality of

possibly remotely located and possibly heterogeneous database systems or structures,

so as to facilitate the retrieval and synchronization of information in a global fashion.

(Column 6, lines 57-62)

Based on the teaching of Hoover et al., it would have been obvious to one of

ordinary skill in the art, at the time the invention was made, to modify the Walker et al.

system and method to incorporate the Hoover et al. method of data collection for the

Walker et al. heterogeneous group of "on-line bank data access system", "global

customer information file" and the "front end processing and communications system"

prior to evaluation, in order to facilitate the retrieval and synchronization of information

in a global fashion.

Response to Arguments

3.   Applicant's arguments filed 3/05/04 have been fully considered but they are not

persuasive.

Applicant's arguments are substantially the same arguments as previously

presented. (many sections are verbatim) The examiner relies on the past responses to

arguments.

The new claim language supplements do not add further limitations, but rather

recite inherent or redundant aspects of already claimed and rejected features. For

example, "to thereby produce a respective decision for each of the accounts" in an

inherent feature of the earlier limitation "wherein said evaluating determines which

strategy of a plurality of strategies will be used to evaluate each account...".

Another claim addition is "account data being loaded at a time prior to initiating

said evaluating and ..." as opposed to "prior to said evaluating". The examiner fails to

see a significant difference in the two phrases. In addition to this, applicant's arguments

at the bottom of page 13 are flawed. Applicant asserts that steps 2092 and 2094

require the retrieval of more data. The examiner does not concur. First of all, looking at

figure 42, the whole process of figure 43 can be bypassed at step 2084, which allows

Walker to meet the metes and bounds of the claims. Second, a scoring decision could

have been already accomplish by that stage in the process and therefore also met the claim language as broadly recited.

Applicant has also added "the customer and each of the accounts thereby being evaluated in a single pass via the iterative function". This is redundant. Applicant's definition of a "single pass" is "A 'single pass' indicates that, in the evaluation of a customer, the required customer and account data is retrieved and loaded once, prior to doing the customer evaluation." See page 10 of applicant's paper 9, dated 9/18/02. The examiner and applicant discussed what exactly "in a single pass" meant. As a result (paper 11), applicant removed the phrase "in a single pass" and added the limitation "loading all customer and account data required for evaluating the customer and each of the accounts". Therefore, the new claim limitation is merely restating claim step already recited.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Cuff whose telephone number is (703) 308-0610. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Michael Cuff 5/25/04
Michael Cuff
May 25, 2004